

COMMISSIONERS APPROVAL

CHILCOTT 

LUND

THOMPSON 

TAYLOR (Clerk & Recorder)

Date.....October 24, 2006

Members Present.....Commissioner Greg Chilcott, Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Sally Fortino

The Board of County Commissioners met for a decision on operations of Stevensville Gravel mine and North County garage. David Ohnstad, Road and Bridge Supervisor, introduced two new employees. Road Foreman Bill Meisner was also present.

David discussed present conditions at the Stevensville Gravel Mine and the necessity of expanding and making improvements at the site. He said the anticipated sale of unused County property was to provide capital necessary to make said improvements. The site is the ideal location for a presence in the north end of the County. He explained plans to add another piece of property from which the site could be entered and exited. The sight distance would be improved, and entering traffic with a slower-moving vehicle would be safer. David explained his plan for relocating and storing aggregate on-site. He explained the property in question had been purchased by the County. An allegation of an agricultural covenant on the property was made, which required input from the County Attorney. They are still awaiting a decision after fourteen months. In the meantime, the property owners are in flagrant violation of the agricultural covenant.

Commissioner Thompson said an agricultural covenant is a legal problem for the Board of County Commissioners. It is not a Road and Bridge Department problem. The ideal solution would be for the owners to sell the property to the County and lift the covenant so the Road and Bridge Department can use it. David said it is tough to justify a wait of fourteen months.

Commissioner Chilcott disagreed, saying many issues have popped up. This is an enforcement issue; there are many in the County.

David said three others who have had agricultural issues were held to the letter of law.

Commissioner Thompson said David should look at developing the existing 2.8 acres as well as he can. If the other property becomes available in the future it can be dealt with at that time.

David said it would have been the county's property if the agricultural covenant had not been on it. The people who raised the issue are the ones who have failed to act over 14 months. He appealed to the Commissioners to exercise their authority to get an answer. Bill said the County gifted it to that family when the ditch broke in 1978, and the ditch was changed. The owner was annoyed that we didn't give it all to him.

The Board of County Commissioners discussed the issue of priorities within County departments. Commissioner Thompson said if David hires an attorney they will still be involved with other departments to move forward. Commissioner Lund said George Corn wanted extra funds for an extra attorney, so he could hire someone for David, who would be responsible for the expense. Commissioner Chilcott said the County Attorney is responsible to set project priorities within his office. He added the Road and Bridge Department should not have to contribute to this. Begin to adapt existing property to conform to the needs of the Road and Bridge Department and plan on expansion in the future, if it becomes plausible. David said enacting eminent domain may be a possible solution. He doesn't want to erect a building there if there is a better alternative.

David discussed work done at the airport, and the value of the work done and the amount that should be paid by the airport. Some was to be deferred, but the airport board would reimburse some costs. He said the Road and Bridge Department has subsidized efforts at the Airport for years, and there is no way to estimate the value of their endeavors on behalf of the Airport.

Commissioner Thompson referred to the tightening of regulations by the FAA, and commented that they may have an effect on what sorts of activities can be housed in close proximity to the airport.

Commissioner Lund asked if David had any place in mind for a road shop. David said he was looking south of Hamilton. He would like a piece of property with an aggregate resource, large enough for expansion. It would then be possible to liquidate the garage in Conner.

David updated the Board of County Commissioners on progress on Meridian Road. They will stockpile recycled asphalt from the US 93 project at the airport and use where necessary. The agreement is to stockpile on Meridian Road. The easement has been cleared. They will reshape drainage ways from Blair Lane to Bear Creek, a pretty straight forward project. Though not a large project it will take time. David said little grading is needed and no fences are affected. The project ends at Bear Creek. Commissioner Thompson said Bear Creek Road north will be an issue when they see the dust rising. David said they are just retracing the steps taken in the last century.

The Board of County Commissioners and David discussed the surplus real estate auction, which has been rescheduled for November 9<sup>th</sup>. The property must be offered at 90%. If no bids are forthcoming a private contract can be entered into at 70%. David said the statutory requirements dictate that a private contract can be entered into after public notification, while the assessment prevails.

The roadway striping contract starts today.

David has received assurance of grant assistance for a project on Rye Creek, thanks to the efforts of Commissioner Thompson and the RAC. The road will be reshaped and resurfaced with gravel.

Commissioner Thompson suggested David look at the relation of a subdivision on Orchard Drive next to some "S" corners. People have failed to make the corners and have run onto private property. When the US 93 project is in full swing next year there may be excess traffic on this road, people who are unfamiliar with the road. Signs may be necessary.

In other business the Board of County Commissioners met for final plat approval of Florence Orchard Lot 18A. The owners were present and commented on the excellent work done by Rene Van Hoven and Tristan Riddell. Commissioner Lund made a motion to approve the Florence Orchard Lot 18 AP Major Subdivision. Commissioner Thompson seconded the motion, and all voted 'aye'.

In other business the Commissioners met to hear a request for a flag at the museum Cupola. Chris Daniel, new president of Historic Society, was present. He said they have received some money toward the purchase of a new flag, but need approval from the Board of County Commissioners and engineering permits from the city. He asked for the Commissioners' approval and for financial assistance.

Commissioner Thompson said the County had already put money toward the project. He added that further funding could not be discussed without more information on the total cost of the project. Commissioner Chilcott asked if Commissioner Lund and Commissioner Thompson concurred on granting permission. They agreed.

Commissioner Chilcott assured Chris that he had the Board of County Commissioners' permission to proceed. Chris will return with figures after research.